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AMENDMENTS TO LB 458

AM741

LB458

Introduced by Natural Resources

23

1 1. Strike the original sections and insert the following 2 sections: 3 Section 1. The Riparian Vegetation Management Task Force 4 is created. The Governor shall appoint the members of the task 5 force. The members shall include one representative from the 6 Department of Agriculture, the Department of Natural Resources, 7 the office of the Governor, the office of the State Forester, the 8 Game and Parks Commission, and the University of Nebraska; two 9 representatives nominated by the Nebraska Association of Resources 10 Districts; two representatives nominated by the Nebraska Weed 11 Control Association; and one riparian landowner from each of the 12 state's congressional districts. In addition to such members, any 13 member of the Natural Resources Committee of the Legislature may 14 serve as a member of the task force at his or her option. This 15 section terminates on June 30, 2009. 16 Sec. 2. The Riparian Vegetation Management Task Force, in 17 consultation with appropriate federal agencies, shall develop and 18 prioritize vegetation management goals and objectives and develop 19 plans and policies to achieve such goals and objectives. The task force shall convene within thirty days after the appointment 20 21 of the members is complete to elect a chairperson and conduct 22 such other business as deemed necessary. The efforts of the task

force shall be initially directed toward river basins designated

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- 1 by the Department of Natural Resources as fully appropriated or
- 2 overappropriated. Task force meetings shall be held in communities
- 3 within the Republican and Platte River basins. The task force
- 4 shall make preliminary recommendations to the Governor and the
- 5 Legislature regarding funding and legislation needed to achieve its
- 6 goals on or before December 15, 2007, and each year thereafter,
- 7 with a final report due prior to June 30, 2009. It is the
- 8 intent of the Legislature that expenses of the task force be paid
- 9 from funds appropriated for this legislative bill and shall not
- 10 exceed twenty-five thousand dollars per fiscal year. This section
- 11 terminates on June 30, 2009.
- 12 Sec. 3. Section 2-945.01, Revised Statutes Cumulative
- 13 Supplement, 2006, is amended to read:
- 14 2-945.01 Sections 2-945.01 to 2-966 and sections 1 and 2
- 15 of this act shall be known and may be cited as the Noxious Weed
- 16 Control Act.
- 17 Sec. 4. Section 2-958.02, Revised Statutes Cumulative
- 18 Supplement, 2006, is amended to read:
- 19 2-958.02 (1) From funds available in the Noxious Weed and
- 20 Invasive Plant Species Assistance Fund, the director may administer
- 21 a grant program to assist local control authorities and other weed
- 22 management entities in the cost of implementing and maintaining
- 23 noxious weed control programs and in addressing special weed
- 24 control problems as provided in this section.
- 25 (2) The director shall receive applications by local
- 26 control authorities and weed management entities for assistance
- 27 under this subsection section and, in consultation with the

1 advisory committee created under section 2-965.01, award grants

- 2 for any of the following eligible purposes:
- 3 (a) To conduct applied research to solve locally
- 4 significant weed management problems;
- 5 (b) To demonstrate innovative control methods or land
- 6 management practices which have the potential to reduce landowner
- 7 costs to control noxious weeds or improve the effectiveness of
- 8 noxious weed control;
- 9 (c) To encourage the formation of weed management
- 10 entities;
- (d) To respond to introductions or infestations of
- 12 invasive plants that threaten or potentially threaten the
- 13 productivity of cropland and rangeland over a wide area;
- 14 (e) To respond to introductions and infestations of
- 15 invasive plant species that threaten or potentially threaten the
- 16 productivity and biodiversity of wildlife and fishery habitats on
- 17 public and private lands;
- 18 (f) To respond to special weed control problems involving
- 19 weeds not included in the list of noxious weeds promulgated by
- 20 rule and regulation of the director if the director has approved a
- 21 petition to bring such weeds under the county control program;
- 22 (g) To conduct monitoring or surveillance activities
- 23 to detect, map, or determine the distribution of invasive plant
- 24 species and to determine susceptible locations for the introduction
- 25 or spread of invasive plant species; and
- 26 (h) To conduct educational activities.
- 27 (3) The director shall select and prioritize

1 applications for assistance under this subsection (2) of this

- 2 section based on the following considerations:
- 3 (a) The seriousness of the noxious weed or invasive plant
- 4 problem or potential problem addressed by the project;
- 5 (b) The ability of the project to provide timely
- 6 intervention to save current and future costs of control and
- 7 eradication;
- 8 (c) The likelihood that the project will prevent or
- 9 resolve the problem or increase knowledge about resolving similar
- 10 problems in the future;
- (d) The extent to which the project will leverage federal
- 12 funds and other nonstate funds;
- (e) The extent to which the applicant has made progress
- 14 in addressing noxious weed or invasive plant problems;
- 15 (f) The extent to which the project will provide a
- 16 comprehensive approach to the control or eradication of noxious
- 17 weeds;
- 18 (g) The extent to which the project will reduce the total
- 19 population or area of infestation of a noxious weed;
- 20 (h) The extent to which the project uses the principles
- 21 of integrated vegetation management and sound science; and
- 22 (i) Such other factors that the director determines to be
- 23 relevant.
- 24 (4) The director shall receive applications for grants
- 25 under this subsection and shall award grants to recipients and
- 26 programs eligible under this subsection. Beginning in fiscal year
- 27 2007-08, it is the intent of the Legislature to appropriate

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two million dollars annually to the Noxious Weed and Invasive 1 2 Plant Species Assistance Fund for the management of vegetation within the banks of a natural stream or within one hundred 3 4 feet of the banks of a channel of any natural stream. Such 5 funds shall only be used to pay for activities and equipment 6 as part of vegetation management programs that have as their 7 primary objective improving conveyance of streamflow in natural 8 streams. Grants from funds appropriated as provided in this 9 subsection shall be disbursed only to weed management entities, 10 including local weed control authorities and natural resources 11 districts, whose territory includes one or more fully appropriated 12 or overappropriated river basins as designated by the Department 13 of Natural Resources with priority for the first year given 14 to fully appropriated river basins that are the subject of 15 an interstate compact or decree. The Nebraska Game and Parks 16 Commission shall assist grant recipients in implementing grant 17 projects under this subsection, and interlocal agreements under the 18 Interlocal Cooperation Act or the Joint Public Agency Act shall be 19 utilized whenever possible in carrying out the grant projects. This subsection terminates June 30, 2009. 20 21 (3) (5) Nothing in this section shall be construed to 22 relieve control authorities of their duties and responsibilities 23 under the Noxious Weed Control Act or the duty of a person to control the spread of noxious weeds on lands owned and controlled 24 25 by him or her. 26 (4) (6) The Department of Agriculture may adopt and 27 promulgate necessary rules and regulations to carry out this

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- 1 section.
- Sec. 5. Original sections 2-945.01 and 2-958.02, Revised
- 3 Statutes Cumulative Supplement, 2006, are repealed.
- 4 Sec. 6. Since an emergency exists, this act takes effect
- 5 when passed and approved according to law.